

OGC Has Reviewed

5/20/52

MEMORANDUM FOR THE RECORD

SUBJECT: Tort Claims - Automobile Accidents

In Di Benedictis v. U.S., 103 F. Supp. 462, it was held that,

• In action under Federal Tort Claims Act arising out of intersection collision between plaintiffs' automobile and Government's mail truck, wherein Government counterclaimed against automobile driver, contributory negligence of automobile driver would prevent his recovery and negligence of mail truck driver would prevent Government's recovery on its counterclaim. •

STATINTL



OGC/OEP/mb